

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re Material Witness: ) CASE NO. MJ24-074  
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 )  
 )  
AHMED BASCRACEA )  
 ) DETENTION ORDER - Material  
 ) Witness

Offense charged: Material Witness

Date of Detention Hearing: March 5, 2024.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f) and 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that detention is necessary to adequately secure the testimony of the material witness, and to prevent a failure of justice.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Mr. Bascracea is a material witness in an immigration case charged by criminal

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01 indictment in Case No. CR23-180LK. Trial is set for April 29, 2024. The government  
02 indicates a motion has been filed to perpetuate Mr. Bascracea's testimony by deposition. He  
03 was initially released from ICE custody under the condition that he submit to GPS location  
04 monitoring. However, as Mr. Bascracea admits, he cut off the monitoring device when  
05 permission was not given to him to travel to California. He was arrested when attempting to  
06 enter Canada from the state of New York.

07 2. The United States has moved to detain the witness pursuant to 18 U.S.C. § 3144  
08 for a reasonable period until his deposition can be taken pursuant to the Federal Rules of  
09 Criminal Procedure.

10 3. The material witness poses a risk of nonappearance based on previous efforts to  
11 evade monitoring and leave the country.

12 5. The Court finds that further detention is necessary to prevent a failure of justice.  
13 The material witness will be detained until his testimony can be adequately secured.

14 It is therefore ORDERED:

15 1. Defendant shall be detained pending testimony and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19 2. The witness shall be afforded reasonable opportunity for private consultation with  
20 counsel;

21 3. On order of the United States or on request of an attorney for the Government, the person  
22 in charge of the corrections facility in which the witness is confined shall deliver the

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01 witness to a United States Marshal for the purpose of an appearance in connection with  
02 a court proceeding; and

03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
04 for defendant, to counsel for the witness, to the United States Marshal, and to the United  
05 State Pretrial Services Officer.

06 DATED this 5th day of March, 2024.

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08 Mary Alice Theiler  
09 United States Magistrate Judge  
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